**THE HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.13647 of 2007**

**Dated:02.07.2007**

**Between:**

Kammara Anjaiah, S/o.Meerappa,
and others.

…Petitioners

and

The Revenue Divisional Officer, Dharmavaram,
Anantapur District, and others.

…Respondents

**THE HON'BLE SRI JUSTICE V.V.S.RAO**

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**ORDER:**

There are ten petitioners in this Writ Petition. They are mostly related to each other. Considering their economic position, the second respondent issued possession certificates to them vide proceedings dated 20.06.2004 in respect of different extents of land in Survey No.327-1, situated at Malayanur Village of Kundirpi Mandal in Anantapur District. They took possession of the same and started construction. At that stage, it appears, the third respondent raised objection and also prevented the petitioners from constructing houses. The petitioners, therefore, made a representation to the Tahasildar, requesting to conduct enquiry and prevent the third respondent from interfering with the construction activity. Alleging that no action is initiated, the present Writ Petition is filed.

Admittedly, the petitioners were granted possession certificates on 20.06.2004. The petitioners have not come forward with any explanation as to why they did not raise construction so far. Be that as it is, they allegedly started construction and when the third respondent interfered with the same, the petitioners approached the second respondent only on 26.05.2007, and even before enquiry is initiated by the second respondent, they filed the instant Writ Petition. As held by this Court in **Mir Fazle Ali Nasiri v. State of A.P. and others**[1], unless and until the statute prescribes time schedule, this Court in

exercise of its power under Article 226 of the Constitution of India cannot prescribe time schedule for the Executive to take necessary action in respect of matters, which purely lie in their realm. The petitioners have to pursue their remedy with the second respondent.

The Writ Petition is misconceived, and is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

02.07.2007
vs

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[1] 2007 (2) ALD 3